

RESPONSE TO BUDGET ANALYSIS FOR FY 2005

The Division of Parole and Probation (DPP) operates 48 offices with at least one in every county to provide supervision/monitoring of approximately 41,000 offenders who are on probation for criminal offenses, 9,500 who have been released from prison on parole or mandatory supervision, and 16,000 drinking drivers. Supervising/monitoring these 66,000 offenders is complicated by the fact that many offenders have multiple cases/sentences with various conditions, frequently involving judges from different courts or areas of the State. For example, the more than 66,000 offenders currently being supervised or monitored represent approximately 115,000 cases.

CASELOADS: The Department should be prepared to discuss the factors that influence the fluctuation of the caseload numbers and how estimates are created.

The following is a brief description of the historical growth factors affecting caseload growth for the Division of Parole and Probation and the projection methodology currently utilized by the Office of Planning, Policy, Regulation and Statistics (OPPRS), Department of Public Safety and Correctional Services to develop projections.

Actual Caseloads and Projections

End of Fiscal Year	Actual Caseloads				Projections	
	2000	2001	2002	2003	2004	2005
Active Cases	52,782	51,593	52,759	50,539	50,551	51,051
Total Cases	98,278	96,152	96,482	94,625	94,500	95,000
Total Case Intakes	52,967	50,377	52,167	50,276	50,500	51,000

The Division of Parole and Probation's caseload growth is primarily impacted by the number of new cases received each year and the length of time they remain under supervision. Over the last ten years, the actual new case intake total has ranged from a low of approximately 47,000 to a high of 52,967 in FY 2000, with the last four years remaining relatively stable. Parole and mandatory supervision intakes have now stabilized over the last few years as the result of stricter parole policies and the changes in the mandatory supervision

laws regarding sentence length (12 month and under sentences released by expiration as of 1997). Although the probation case intake has shown some modest fluctuation, the overall effect has been relative stability in the overall intake figures, and this stability is projected to continue in the near future. A similar stability can be found in intakes to the Division of Correction, which would not suggest significant increases in supervised prison releases in the next two years. Current caseload counts are not inconsistent with current projections.

To project the number of active cases to be supervised in the future, the OPPRS analyzes the relationship between the total number of new cases intakes, the average length of stay under active supervision and the current number of cases under active supervision. The length of stay under active supervision has averaged approximately 12 months in recent fiscal years. This means that if intakes to the Division remain stable in FY 2004 and 2005, the number of active cases under supervision should be similar to the annual intake, or approximately 51,000 cases. The OPPRS and the Division will continue to monitor these caseload indicators and adjust these projections as necessary.

To project the total number of cases under supervision in the future, the OPPRS also analyzes the relationship between the total number of case intakes, the average length of stay under supervision, and the current number of cases under supervision. The total time spent under supervision for all cases is approximately 22 months. With intakes projected to remain stable, the total caseload should not exceed 95,000 by FY 2005. The OPPRS and the Division will continue to monitor caseload trends, as well as overall crime trends, and adjust these projections as needed.

CASELOADS (continued): The department should be prepared to discuss the impact of the population decline on caseloads and offender supervision.

- The FY 2003 modest decrease in the number of criminal offenders and cases occurs after an increase in 7 out of the 8 previous years and should not be considered a trend at this point.
- Since the noted decline in caseloads is spread over the course of a year, **45** field offices across the state and **600** parole and probation agents (not including investigative agents) is not considered significant but it is positive.
- When DPP has been allowed to fill agent/monitor vacancies, it has assigned its new staff to those offices areas of the state that have the highest caseload averages. As a result the percent of DPP offices that had average caseloads in excess of 100 decreased from **53%** at the end of 2002 to **31%** at the end of 2003.

- The DPP Leadership Team will continue to monitor its caseload size through its monthly Superstats analysis and MFR process. We hope this decline in caseloads becomes a trend and DPP will be able to accelerate its implementation of its PCS model.

***CASELOADS (continued):* The department should be prepared to discuss the impact of the population decline on caseloads and offender supervision (DDMP).**

- Cost containment measures have limited DPP's ability to take advantage of this modest decline in the population under DDMP's supervision. The agency has filled 9 monitor vacancies so far this fiscal year and has permission to fill 8 additional positions.
- When DPP has been allowed to fill monitor vacancies it has assigned its new staff to those offices that have the highest caseloads. At the end of 2002 the statewide average for monitors was **170 cases**, that number has been reduced to **150** by the end of 2003.
- As caseloads decline DDMP is able to increase the number of times each month that offenders report for monitoring. Monitors are able to check for sobriety and treatment attendance more often.

***RECIDIVISM:* The Department should be prepared to discuss the factors underlying the decrease in the recidivism rate.**

The modest reduction in the rate of recidivism over the last two years, as noted in the Repeat Incarceration Supervision Cycle (RISC) report, is encouraging and hopefully will become a trend as DPSCS programs and services expand. However, rates of recidivism can be influenced by social factors, economic conditions, local policing policy, prosecutorial and sentencing practices, etc., as well as the supervision provided by the Division of Parole and Probation. Fluctuations from year-to-year are to be expected and the current decrease may not necessarily stabilize at lower levels.

During the 1990's, in response to the demand from the people of Maryland for safer communities, the Division of Parole and Probation implemented and partnered in a variety of specialized innovative programs to manage offenders in the community and reduce crime. These initiatives include the Correctional Options Program, Break the Cycle, the Baltimore City Drug Treatment Court and the Hot Spots initiative (now known as CSAFE). Since 1999, the Division has focused its attention on transferring the lessons learned from these special and pilot projects to broad systemic change. Consequently, Proactive Community Supervision (PCS) was developed to maximize the untapped potential of

community supervision. PCS is expected to make communities safer by reducing recidivism, improving offender outcomes and improving the delivery of services to victims.

With the support of the General Assembly, the Division received funding during fiscal year 2002 to begin implementation of its PCS model. Although current fiscal conditions have not allowed for complete implementation of its plan, the Division has continued to develop the PCS strategy in its four pilot sites.

EMPLOYEE SAFETY: The Department should be prepared to discuss the steps taken to ensure the safety of agent and office bound personnel.

As a public safety entity whose mission is to make Maryland communities safer, the Division of Parole and Probation (DPP) places a high priority on the well-being and safety of its employees, both those who work in the community and those who are "office bound". In order to realize its mission, the Division has effected changes in the way it supervises offenders in the community through Proactive Community Supervision (PCS). The PCS model that has been implemented in 4 sites emphasizes smaller caseloads for agents who supervise offenders in the intensive category, contacts with offenders in the community where they live and work and less office reporting for those offenders. Agents in non-PCS sites also continue to make home and community contacts.

The nature of the Division's business involves an inherent degree of risk and the Division makes a concerted effort to provide staff with not only the techniques of ensuring their safety but also the tools that will promote a safe environment.

- During the entry level training academies, all new agents and monitors receive a canister of pepper spray and a half-day of training in its use. Agents also receive training in identifying safety issues and techniques in making field contacts with offenders. Courses in staff safety are included in the Division's in-service training schedule. While the statewide rollout of PCS has been slowed due to cost containment, all staff have been trained in the PCS protocol. The training ranged from an overview for clerical staff to in-depth training for agents and supervisors. PCS stresses communication skills when interacting with offenders to produce positive results and reduce confrontation. Additional PCS training will take place in September and October 2004.
- The Division has issued 245 cell phones, 356 pagers and 218 bullet proof vests for use by criminal supervision agents and supervisors who spend the majority of their time in the community making contacts with offenders

in their homes and contacts with the Division's partners to coordinate and collaborate on offender supervision plans. The Division's staff assigned to the Warrant Apprehension Unit are equipped similarly to police officers.

- Since 2001, all new office space acquired by the Division and renovations made to existing space, when feasible, have been designed to concentrate offender traffic in the front of the office space. The receptionist, intake function and urinalysis collection are grouped together along with interview rooms that are fitted with glass windows in order that activity can be easily observed by other staff and/or the security guard. Interview rooms allow agents and monitors to meet with offenders in a private setting while affording greater security than in the typical office setting where agents and monitors meet with offenders in their individual, private offices. This model also limits the areas of the offices to which offenders have access.
- Approximately one-third of the Division's offices are located in facilities operated by the Department of General Services (DGS) or local governments. The DGS Police and the local government provide security services in these offices. When there is a demonstrable need for additional security, the Division works to ensure that the necessary coverage is provided. 2100 Guilford Avenue is a DGS facility; however, it is also a urinalysis collection site and houses the Division's urinalysis laboratory. The Division contracts for an additional security guard in the collection/lab area in order to strengthen the security presence.

The remaining two-thirds of the Division's offices are leased from private landlords. The Division contracts for security guard services for 8 of its Baltimore City offices. The Division is also in the process of negotiating a security guard contract for the Forestville office pending the office relocation and is planning to partner with the Department of Social Services and the Department of Education to share the expense of security services in its Frederick regional office.

- The Gay Street office in Baltimore City is situated in the center of Baltimore across from the new Baltimore City Juvenile Justice Center, an area where non-metered, on-street parking is extremely limited. Employees' cars have been subject to vandalism and towed from expired parking meters. In order to address these concerns, the Division requested and received approval to contract for 16 additional parking spaces in a nearby lot and is attempting to obtain designated, permit parking on the streets adjacent to the building. The Division has also contracted for a security guard to escort employees to their cars in the evenings.

- The Division has installed glass partitions in the waiting/reception areas in its Waldorf and Upper Marlboro offices.
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- The Division has a Risk Management Team that meets on a monthly basis to review progress in promoting and maintaining a safe work environment. The Division also established a Safety Committee to address specific areas of concern. As part of the recommendation of the committee, the Division has requested approval to purchase the recommended standard in first aid kits for all of its offices.
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The Division seeks to enhance staff safety and promote a safety conscious work force. Toward that end, the Division will continue to review its practices, educate staff and utilize available resources to implement changes to foster a culture of staff safety.

DLS recommendation to increase the turnover rate to 7.88% based on historic data:

The Division opposes this recommendation. Statewide and Departmental cost containment measures in effect since October 2001 have severely impacted the Division's workforce. As the analyst notes, 43.5 regular positions were abolished as a result of these measures. Prior to the imposition of these measures, the Division was poised to begin its reinvention through a full-scale rollout of its new supervision model, Proactive Community Supervision (PCS). The General Assembly endorsed this plan to protect public safety, hold offenders accountable for their actions and develop competency and character to help

offenders become responsible and productive members of society. Cost containment has delayed the full implementation of PCS.

Lack of staff has also impacted the Division's ability to provide adequate clerical support to complete intake procedures, type warrant requests and enter information into the Division's database. The Division received permission to fill 71 (35 agent, 8 monitor and 28 clerical/fiscal/administrative) positions of the 179 positions that were vacant as of December 31, 2003. The Division is in the process of hiring for these positions. The agents hired will begin the Entry Level Training Program on April 28, 2004. The monitors are scheduled to begin training later in the Spring. In addition, the Division is preparing another hiring exemption request to permit the hiring of an additional 35 agents prior to the end of the FY 2004. The Division conducted 2 prior agents academies with graduation dates in August and December 2003. A class of monitors also graduated in August 2003.

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STATE OF MARYLAND

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Division of Parole and Probation

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February 10, 2004

The Honorable James E. DeGrange, Sr.
Chair, Senate Subcommittee on Public Safety
Transportation and the Environment
120 James Senate Office Building
Annapolis, Maryland 21401-1991

Dear Senator DeGrange:

This letter is in response to the budget analysis presented to your subcommittee by the Department of Legislative Services. Should the subcommittee have any other questions or concerns, the Division will be happy to explore those matters and provide you with additional information. The subcommittee's interest in and support for the Division's ongoing efforts to strengthen community supervision and to manage effectively during this period of economic uncertainty are greatly appreciated.

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I trust the above information adequately addresses the issues that were raised by the analyst. Please do not hesitate to contact me if any additional information is needed.

Sincerely,

Judith Sachwald
Director

cc: Mary Ann Saar, Secretary, DPSCS
Mary L. Livers, PhD, Deputy Secretary, DPSCS
G. Lawrence Franklin, Deputy Secretary, DPSCS
Diane Lucas, Analyst, DBM
William Honablew, Analyst, DLS
Susan Dooley, Director of Financial Services, DPSCS
Rhea Harris, Director, Legislative Affairs Office, DPSCS



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February 11, 2004

The Honorable Joan Cadden
Chair
House Subcommittee on Public Safety and Administration
213 Lowe House Office Building
Annapolis, Maryland 21401-1991

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RECIDIVISM: The Department should be prepared to discuss the factors underlying the decrease in the recidivism rate.

The modest reduction in the rate of recidivism over the last two years, as noted in the Repeat Incarceration Supervision Cycle (RISC) report, is encouraging and hopefully will become a trend as DPSCS programs and services expand. However, rates of recidivism can be influenced by social factors, economic conditions, local policing policy, prosecutorial and sentencing practices, etc., as well as the supervision provided by the Division of Parole and Probation. Fluctuations from year-to-year are to be expected and the current decrease may not necessarily stabilize at lower levels.

During the 1990's, in response to the demand from the people of Maryland for safer communities, the Division of Parole and Probation implemented and partnered in a variety of specialized innovative programs to manage offenders in the community and reduce crime. These initiatives include the Correctional Options Program, Break the Cycle, the Baltimore City Drug Treatment Court and the Hot Spots initiative (now known as CSAFE). Since 1999, the Division has focused its attention on transferring the lessons learned from these special and pilot projects to broad systemic change. Consequently, Proactive Community Supervision (PCS) was developed to maximize the untapped potential of community supervision. PCS is expected to make communities safer by reducing recidivism, improving offender outcomes and improving the delivery of services to victims.

With the support of the General Assembly, the Division received funding during fiscal year 2002 to begin implementation of its PCS model. Although current fiscal conditions have not allowed for complete implementation of its plan, the Division has continued to develop the PCS strategy in its four pilot sites.

EMPLOYEE SAFETY: The Department should be prepared to discuss the steps taken to ensure the safety of agent and office bound personnel.

As a public safety entity whose mission is to make Maryland communities safer, the Division of Parole and Probation (DPP) places a high priority on the well-being and safety of its employees, both those who work in the community and those who are "office bound". In order to realize its mission, the Division has effected changes in the way it supervises offenders in the community through Proactive Community Supervision (PCS). The PCS model that has been implemented in 4 sites emphasizes smaller caseloads for agents who supervise offenders in the intensive category, contacts with offenders in the community where they live and work and less office reporting for those offenders. Agents in non-PCS sites also continue to make home and community contacts.

The nature of the Division's business involves an inherent degree of risk and the Division makes a concerted effort to provide staff with not only the techniques of ensuring their safety but also the tools that will promote a safe environment.

- During the entry level training academies, all new agents and monitors receive a canister of pepper spray and a half-day of training in its use. Agents also receive training in identifying safety issues and techniques in making field contacts with offenders. Courses in staff safety are included in the Division's in-service training schedule. While the statewide rollout of PCS has been slowed due to cost containment, all staff have been trained in the PCS protocol. The training ranged from an overview for clerical staff to in-depth training for agents and supervisors. PCS stresses communication skills when interacting with offenders to produce positive results and reduce confrontation. Additional PCS training will take place in September and October 2004.
- The Division has issued 245 cell phones, 356 pagers and 218 bullet proof vests for use by criminal supervision agents and supervisors who spend the majority of their time in the community making contacts with offenders in their homes and contacts with the Division's partners to coordinate and collaborate on offender supervision plans. The Division's staff assigned to the Warrant Apprehension Unit are equipped similarly to police officers.
- Since 2001, all new office space acquired by the Division and renovations made to existing space, when feasible, have been designed to concentrate offender traffic in the front of the office space. The receptionist, intake function and urinalysis collection are grouped together along with interview rooms that are fitted with glass windows in order that activity can be easily observed by other staff and/or the security guard. Interview rooms allow agents and monitors to meet with offenders in a private setting while affording greater security than in the typical office setting where agents and monitors meet with offenders in their individual, private offices. This model also limits the areas of the offices to which offenders have access.
- Approximately one-third of the Division's offices are located in facilities operated by the Department of General Services (DGS) or local governments. The DGS Police and the local government provide security services in these offices. When there is a demonstrable need for additional security, the Division works to ensure that the necessary coverage is provided. 2100 Guilford Avenue is a DGS facility; however, it is also a urinalysis collection site and houses the Division's urinalysis laboratory. The Division contracts for an additional security guard in the collection/lab area in order to strengthen the security presence.

The remaining two-thirds of the Division's offices are leased from private landlords. The Division contracts for security guard services for 8 of its Baltimore City offices. The Division is also in the process of negotiating a security guard contract for the Forestville office pending the office relocation and is planning to partner with the Department of Social Services and the Department of Education to share the expense of security services in its Frederick regional office.

- The Gay Street office in Baltimore City is situated in the center of Baltimore across from the new Baltimore City Juvenile Justice Center, an area where non-metered, on-street parking is extremely limited. Employees' cars have been subject to vandalism and towed from expired parking meters. In order to address these concerns, the Division requested and received approval to contract for 16 additional parking spaces in a nearby lot and is attempting to obtain designated, permit parking on the streets adjacent to the building. The Division has also contracted for a security guard to escort employees to their cars in the evenings.
- The Division has installed glass partitions in the waiting/reception areas in its Waldorf and Upper Marlboro offices.
- As part of the development of the Division's Emergency Preparedness Plan (EPP), evacuation plans are on file for all of its offices. In finalizing the EPP, timelines will be established for the annual review and testing of the individual office plans. Review and familiarization with these plans are part of orientation for all new employees.
- The Division has a Risk Management Team that meets on a monthly basis to review progress in promoting and maintaining a safe work environment. The Division also established a Safety Committee to address specific areas of concern. As part of the recommendation of the committee, the Division has requested approval to purchase the recommended standard in first aid kits for all of its offices.
- The Division's operations require staff to drive to offenders' homes, court appearances, meetings, and training programs. It is vital that the Division have a sufficient fleet of well-maintained vehicles to ensure that its public safety responsibilities are fulfilled while simultaneously providing staff with safe and secure transportation. (Offenders should not know the make, model and license plate numbers of staff's personal vehicles.) Concerns are consistently raised regarding the age and reliability of the Division's fleet and staff are reluctant to drive long distances. Vehicle maintenance and repair are a priority for the Division.

The Division seeks to enhance staff safety and promote a safety conscious work force. Toward that end, the Division will continue to review its practices, educate staff and utilize available resources to implement changes to foster a culture of staff safety.

DLS recommendation to increase the turnover rate to 7.88% based on historic data:

The Division opposes this recommendation. Statewide and Departmental cost containment measures in effect since October 2001 have severely impacted the Division's workforce. As the analyst notes, 43.5 regular positions were abolished as a result of these measures. Prior to the imposition of these measures, the Division was

poised to begin its reinvention through a full-scale rollout of its new supervision model, Proactive Community Supervision (PCS). The General Assembly endorsed this plan to protect public safety, hold offenders accountable for their actions and develop competency and character to help offenders become responsible and productive members of society. Cost containment has delayed the full implementation of PCS.

Lack of staff has also impacted the Division's ability to provide adequate clerical support to complete intake procedures, type warrant requests and enter information into the Division's database. The Division received permission to fill 71 (35 agent, 8 monitor and 28 clerical/fiscal/administrative) positions of the 179 positions that were vacant as of December 31, 2003. The Division is in the process of hiring for these positions. The agents hired will begin the Entry Level Training Program on April 28, 2004. The monitors are scheduled to begin training later in the Spring. In addition, the Division is preparing another hiring exemption request to permit the hiring of an additional 35 agents prior to the end of the FY 2004. The Division conducted 2 prior agents academies with graduation dates in August and December 2003. A class of monitors also graduated in August 2003.

The Division's ability to keep pace with the staffing needs of the agency is impacted by its ability to train agents and monitors. Agents attend 10 weeks of training that includes 2 weeks of field training. The monitor academy spans 8 weeks and includes 2 weeks of field training. The Division's Staff Development and Training Unit (SDTU) consists of a Manager, 4 trainers and a clerical support position. In order to replace agent staff at the appropriate rate and maintain effective staffing levels, the Division plans to conduct 4 agent academies a year. Since the SDTU also must provide 15,000 hours of in-service training on an annual basis for DPP employees, this will require additional positions in the Unit and the Department will assist the Division in the assignment of the necessary staff to support this critical function.

I trust the above information adequately addresses the issues that were raised by the analyst. Please do not hesitate to contact me if any additional information is needed.

Sincerely,

Judith Sachwald
Director

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